

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

WILLIE A. MAGEE, #09005

PETITIONER

VS.

CIVIL ACTION NO. 2:08-cv-163(DCB)(MTP)

STATE OF MISSISSIPPI, ET AL.

RESPONDENTS

ORDER

This cause is before the Court on the petitioner's motion to proceed in forma pauperis on appeal (**docket entry 42**). Having carefully considered the motion, and being fully advised in the premises, the Court finds as follows:

The petitioner has filed a notice of appeal from this Court's Order dismissing his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. His motion to proceed in forma pauperis does not meet the requirements of Rule 24(a)(1)(A) of the Federal Rules of Appellate Procedure. As a result, the petitioner must either pay the appellate filing fee or comply with the requirements of Rule 24(a)(1)(A) of the Federal Rules of Appellate Procedure by completing the form attached to this Order and returning the original to the Clerk of Court as set forth below. Accordingly,

IT IS HEREBY ORDERED that the petitioner pay the appellate filing fee of \$455.00 within 20 days of the date of the entry of this Order or complete the attached form and return it to the Clerk of Court within 20 days of the date of the entry of this Order.

IT IS FURTHER ORDERED that if the filing fee is paid by the

petitioner or someone other than the petitioner, there must be a written explanation that the money is submitted as payment of the appellate filing fee in this case on behalf of the petitioner, Willie A. Magee.

IT IS FURTHER ORDERED that if the petitioner does not respond as ordered herein, his motion to proceed in forma pauperis shall be denied.

SO ORDERED this, the 19th day of January, 2012.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE